

1  
2  
3  
4  
5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
7

8 AARON BEAVER,

9 Petitioner,

2:16-cv-00836-GMN-VCF

10 vs.

**ORDER**

11 STATE OF NEVADA, *et al.*,

12 Respondents.  
13 \_\_\_\_\_/

14  
15 In this case, on April 12, 2016, Aaron Beaver, a prisoner at the Clark County Detention  
16 Center, submitted for filing a document that purports to be a petition for writ of habeas corpus  
17 pursuant to 28 U.S.C. § 2241 (ECF No. 1). Beaver did not pay the \$5 filing fee. Then, on  
18 April 20, 2016, Beaver filed an application to proceed *in forma pauperis* (ECF No. 2), and a  
19 document entitled “Verified Complaint and Motion for Relief” (attached to the application to  
20 proceed *in forma pauperis*, at ECF No. 2).

21 Beaver’s application to proceed *in forma pauperis* is not on the form for such an application  
22 approved by this Court, and does not provide the information necessary for the Court to determine  
23 whether Beaver qualifies for *in forma pauperis* status.

24 Similarly, Beaver’s habeas petition is not on the form approved by the Court, and is  
25 incomplete and, as drafted, is plainly without merit.  
26

1 Beaver's "Verified Complaint and Motion for Relief," like his habeas petition, cites  
2 28 U.S.C. § 2241, but seeks damages. That document is more in the nature of a civil rights  
3 complaint, perhaps pursuant to 42 U.S.C. § 1983, than a petition for writ of habeas corpus under  
4 28 U.S.C. § 2241. But, at any rate, the claims set forth in the document are completely conclusory,  
5 and, again, as drafted, plainly without merit.

6 For the reasons stated, Beaver's application to proceed *in forma pauperis* will be denied, and  
7 this case will be dismissed without prejudice to Beaver initiating a new habeas corpus action, and/or  
8 a civil rights action.

9 If Beaver wishes to initiate a new habeas corpus action, he must submit a fully completed  
10 petition for writ of habeas corpus on a correct form, together with payment of the correct filing fee or  
11 an application to proceed *in forma pauperis*, on a correct form and fully completed. If Beaver  
12 wishes to initiate a civil rights action, he must submit a fully completed civil rights complaint on a  
13 correct form, together with payment of the correct filing fee or an application to proceed *in forma*  
14 *pauperis*, on a correct form and fully completed.


15 **IT IS THEREFORE ORDERED** that petitioner's Application for *in Forma Pauperis*  
16 (ECF No. 2) is **DENIED**.

17 **IT IS FURTHER ORDERED** that this action is dismissed without prejudice.

18 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send to petitioner, along  
19 with a copy of this order, two copies of the form for a petition for a writ of habeas corpus, two copies  
20 of the form for a civil rights action brought by a prisoner, four copies of the form for an application  
21 to proceed *in forma pauperis* for a prisoner, and any available instructions regarding those forms.

22 **IT IS FURTHER ORDERED** that the Court will accept no further filings in this case.

23  
24 Dated this 22 day of April, 2016.

25  
26   
UNITED STATES DISTRICT JUDGE